

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CHIRIMAR SYSTEMS, INC.
d/b/a CMS TECHNOLOGIES, INC.,

Plaintiff,

V.

GARRETTCOM, INC.,
EDGEWATER NETWORKS, INC., and
NETEON TECHNOLOGIES, INC.,

Defendants.

[illegible]

CASE NO. 2:09-CV-85-TJW

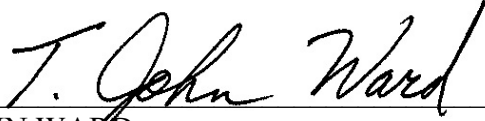
ORDER

Before the court is Defendants GarrettCom, Inc.'s and Edgewater Networks, Inc.'s (collectively "Defendants'") Motion to Transfer Venue to the Northern District of California. (Dkt. No. 18.) The court GRANTS Defendants' Motion.

The Fifth and Federal Circuits have recently enunciated the standard to be used in deciding Motions to Transfer Venue. *See In re Volkswagen of America, Inc.*, 545 F.3d 304 (5th Cir. 2008) (en banc); *see In re TS Tech USA Corp.*, 551 F.3d 1315 (Fed. Cir. 2008) (applying the Fifth Circuit's *en banc Volkswagen* decision to rulings on transfer motions out of this circuit). Under this law, this case is appropriate for transfer. The remaining two defendants in this case have principal offices located in the Northern District of California. Plaintiff ChriMar Systems, Inc. d/b/a CMS Technologies, Inc. has no connections in the Eastern District of Texas. Thus, the plaintiff has failed to show a sufficient connection to this District that would warrant denying transfer.

Accordingly, Defendants have met their burden of showing it is clearly more convenient for this case to proceed in the Northern District of California. *See In re Volkswagen*, 545 F.3d 304 (5th Cir. 2008). The Motion, therefore, is GRANTED and this case is transferred to the Northern District of California.

SIGNED this 27th day of August, 2009.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE